

Pursuant to 37 CFR 1.141, upon the allowance of the product claims, Applicants respectively reserve the right of rejoinder of Group VI, claim 24, and claim 19, drawn to a method of using and a method making the polypeptide.

#### AMENDMENT

Prior to substantive examination, please amend the application as follows:

#### IN THE CLAIMS

Please cancel claims 1-9, 12-18, 21-23 and 27-29.

Kindly replace pending claims 10, 25 and 26 with the following claims:

*Sub 10*  
*A1*  
10. An isolated polypeptide comprising an amino acid of SEQ ID NO: 4, or the mature protein portion thereof.

*11/25*  
*A2*  
25. An isolated polypeptide having prothrombinase activity comprising an amino acid sequence which is 99% identical to the amino acid sequence of SEQ ID NO: 4 or 9.

*12*  
26. A polynucleotide encoding a polypeptide according to claim 25.

#### REMARKS

Applicants respectfully submit that the pending claims are in a condition for allowance. The undersigned can be reached at 408-746-4546 if the Examiner wishes to discuss the response.

An early action on the merits is respectfully requested.

The response to the Restriction Requirement is due on or before February 10, 2002 with a four-month extension of time. A petition for a four-month extension of time is enclosed herewith.

The Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 501169.

Respectfully submitted,

Date: January <sup>28<sup>th</sup></sup> ~~28~~, 2002

By: Petrina S. Hsi  
Petrina S. Hsi  
Attorney for Applicants  
Registration No.: 38,496  
HYSEQ, INC.  
670 Almanor Avenue  
Sunnyvale, CA 94085  
(408) 524-8100  
(408) 524-8145 (Telefacsimile)

**IN THE CLAIMS:**

Claims 1-9, 12-18, 21-23 and 27-29 were cancelled.

Claims 10, 25 and 26 have been amended as follows:

10. (amended) An isolated polypeptide comprising an amino acid, [selected from the group consisting] of SEQ ID No: 4[-9] or the mature protein portion thereof,] and active domain thereof].

25. (amended) [A]An isolated polypeptide having prothrombinase activity comprising [at least ten consecutive amino acids from the group consisting] of an amino acid sequence which is 99% identical to the amino acid sequence SEQ ID NO: 4[-]or 9.

26. (amended) [The polypeptide of claim 26, comprising at least five consecutive amino acids from the group consisting of SEQ ID NO: 4-9] A polynucleotide encoding a polypeptide according to claim 25.